



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Tentative Notice of Action

*Promoting the wise use of land
Helping build great communities*

MEETING DATE September 1, 2006 LOCAL EFFECTIVE DATE September 15, 2006 APPROX FINAL EFFECTIVE DATE October 20, 2006	CONTACT/PHONE Murry Wilson - Environmental Resource Specialist	APPLICANT Stephen Taylor	FILE NO. DRC2003-00057
SUBJECT A request by Stephen Taylor for a Minor Use Permit / Coastal Development Permit to allow for the construction of a detached guesthouse and workshop / art studio. The project includes the replacement of two Morro Manzanita (<i>Arctostaphylos morroensis</i>) for the one Morro Manzanita (<i>Arctostaphylos morroensis</i>) authorized for removal with this project. The project will result in the disturbance of approximately 800 square feet of a 20,089 parcel. The proposed project is within the Residential Single Family land use category and is located at 245 Travis Drive in the community of Los Osos. The site is in the Estero planning area.			
RECOMMENDED ACTION Approve Minor Use Permit / Coastal Development Permit DRC2003-00057 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A Class 3 Categorical Exemption was issued on July 27, 2006.			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION Local Coastal Program, Coastal Appealable Zone	ASSESSOR PARCEL NUMBER 074-458-014	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: Setbacks, Height <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Local Coastal Program, Coastal Appealable Zone, Residential Accessory Use <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing. The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			

EXISTING USES: Single Family Residence	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Single Family Residence / Residence <i>South:</i> Single Family Residence / Residence <i>East:</i> Single Family Residence / Residence <i>West:</i> Single Family Residence / Residence	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Los Osos Community Advisory Group, Public Works, Los Osos Community Services District, Building Division, and the California Coastal Commission	
TOPOGRAPHY: Moderately sloping	VEGETATION: Grasses, shrubs, and scattered native vegetation
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Individual septic system Fire Protection: CDF	ACCEPTANCE DATE: April 21, 2006

PLANNING AREA STANDARDS:

Setbacks: Cabrillo Estates contains specific setbacks within the Estero Area Plan. The setbacks for Residential Accessory Uses are as follows: Front 25', Side 3' and Rear 8'. *This project complies with these standards with side setbacks of 12' (east) and 36' (west), a rear setback of 91' and a front setback of 88' to the existing single family residence.*

Height: Maximum height for structures in the Cabrillo Estates area is 15 feet as measured from the highest point of the parcel. The highest point on the parcel is 559.6 feet with an allowance of 15 feet above that point for a maximum elevation of 574.6 feet. *This proposed structure complies with this standard with a maximum ridge elevation of 552.2 feet or 21 feet above finished floor.*

LAND USE ORDINANCE STANDARDS:

Residential Accessory Use: Workshops and guest houses (including art studios) are both considered residential accessory uses and are allowed uses with a maximum square footage under the Coastal Zone Land Use Ordinance. A workshop or studio is allowed a maximum square footage equal to 40% of the floor area of the main residence and can be added to the square footage of a detached garage. This project proposes a 649 square foot detached workshop / art studio, and a 575 square foot guest house (on the second floor). The main residence is approximately 2,689 square feet, and 40% of that would allow an art studio of 1,076 square feet. *This project complies with these standards.*

Local Coastal Program / Coastal Appealable Area: The project site is located within the California Coastal Zone as determined by the California Coastal Act of 1976 and is subject to the provisions of the Local Coastal Plan. The subject project site is also located within an area that is appealable to the California Coastal Commission because the site is located between the first through public road and the ocean.

COASTAL PLAN POLICIES:

Shoreline Access: ☒ N/A
Recreation and Visitor Serving: ☒ N/A
Energy and Industrial Development: ☒ N/A
Commercial Fishing, Recreational Boating and Port Facilities: ☒ N/A
Environmentally Sensitive Habitats: Policy No(s): 34 and 35
Agriculture: ☒ N/A
Public Works: Policy No(s): 1
Coastal Watersheds: Policy No(s): 7, 8 and 10
Visual and Scenic Resources: ☒ N/A
Hazards: ☒ N/A
Archeology: Policy No(s): 6
Air Quality: ☒ N/A

Does the project meet applicable Coastal Plan Policies: Yes, as conditioned

COASTAL PLAN POLICY DISCUSSION:

Environmentally Sensitive Habitats:

Policy 34: Rare and Endangered Species Survey: *The applicant completed protocol-level surveys for the federally endangered Morro Shouldband Snail on the project site. A letter of concurrence was received from the Fish and Wildlife Service (dated August 22, 2005) stating that the proposed project would not likely result in the take of the Morro Shoulderband Snail, and the location of the proposed project is not in an area containing native habitat. The applicant will be required to complete ground disturbing activities during the dry season (May 1 – October 31).*

Policy 35: Protection of Vegetation: *The southern one-third of the project site contains some native vegetation including the federally threatened Morro Manzanita. No areas of coastal scrub occur on the property. Protective fencing will be installed around all native vegetation and trees within 50 feet of construction activities prior to commencement of construction on the project site.*

Public Works:

Policy 1: Availability of Service Capacity. *This is an addition to an existing single family residence and will use the existing utilities/resources. This project is hooked up to the community water system and has on-site septic which can handle the additional discharge resulting from this project. The applicant has submitted a septic verification form to ensure capacity within the existing on-site septic system.*

Coastal Watersheds:

Policy 7: Siting of new development: *The proposed project is consistent with this policy because the new residence will be located on an existing lot of record in the Residential Single Family category on a slope less than 20 percent.*

Policy 8: Timing of new construction: *The proposed project is consistent with this policy because the project is required to have an erosion and sedimentation control plan and all sedimentation and erosion control measures will be in place before the start of the rainy season.*

Policy 10: Drainage Provisions: *The proposed project is consistent with this policy because the project is required to have a drainage plan that shows the construction of the guest house and workshop will not increase erosion or runoff.*

Archaeology:

Policy 6: Archaeological Resources Discovered during Construction or thought other Activities:

Where substantial archaeological resources are discovered during construction of new development, all activities shall cease until a qualified archaeologist can determine the significance of the resource and alternative mitigations approved.

COMMUNITY ADVISORY GROUP COMMENTS:

AGENCY REVIEW:

Public Works – Recommend approval, no concerns

CDF – No comment

Los Osos Community Services District – Recommend approval

California Coastal Commission – No comment

Building Division - Outside moratorium area, must verify that existing septic system can support additional load or must enlarge to accommodate addition.

LEGAL LOT STATUS:

The lot was legally created by a recorded map at a time when that was a legal method of creating lots (Tract 310, Block 1, Lot 4).

Staff report prepared by Murry Wilson and reviewed by Matt Janssen.

EXHIBIT A - FINDINGS

CEQA Exemption

- A. The project qualifies for a Class 3 Categorical Exemption (pursuant to CEQA Guidelines Section 15303) because the project consists of the construction of a detached guesthouse / workshop in a single family neighborhood.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan and Coastal Act policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code and the Coastal Act.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the addition does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the addition is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Travis Drive, a local road constructed to a level able to handle any additional traffic associated with the project

Coastal Access

- G. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the project is not adjacent to the coast and the project will not inhibit access to the coastal waters and recreation areas.

EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

1. This approval authorizes:
 - a. the construction of a detached guesthouse and workshop / art studio. The project will result in the disturbance of approximately 800 square feet of a 20,089 parcel. The project includes the replacement of two Morro Manzanita (*Arctostaphylos morroensis*) for the one Morro Manzanita (*Arctostaphylos morroensis*) authorized for removal with this project.
 - b. a maximum height of 15 (as measured from the highest point of the parcel).
 - c. construction during the dry season only (May 1 through October 31).

Conditions required to be completed at the time of application for construction permits

Site Development

2. **At the time of application for construction permits**, plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations and landscape plan. Protection fencing shall be show around all trees and vegetation not authorized for removal within 50 feet of construction activities.
3. **At the time of application for construction permits**, the applicant shall submit a landscape plan pursuant to section 23.04.186 which includes the replacement of the one removed Morro Manzanita (*Arctostaphylos morroensis*) with a minimum two Morro Manzanitas (*Arctostaphylos morroensis*) on the project site.

Fire Safety

4. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code.

Services

5. **At the time of application for construction permits**, the applicant shall provide a letter from Cal-Cities Water stating they are willing and able to service the property.
6. **At the time of application for construction permits**, the applicant shall submit evidence that the existing septic system is adequate to serve the proposal, or a system can be installed on the site.

Conditions to be completed prior to issuance of a construction permit

Fees

7. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

Water

8. All water fixtures installed (including showers, faucets, etc.) that are not specified in the Uniform Plumbing Code shall be of “ultra low flow” design, where applicable. Water using appliances (e.g., dishwashers, clothes washers, etc.) shall be of high water efficiency design. These shall be shown on all applicable plans **prior to permit issuance**.

Conditions to be completed during project construction

9. **Prior to commencement of grading / construction activities**, a Fish and Wildlife Service authorized biologist shall conduct a workers training meeting to inform workers associated with the project of issues / concerns related to the Morro Shoulderband Snail.
10. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - a. Construction activities shall cease and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - b. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.

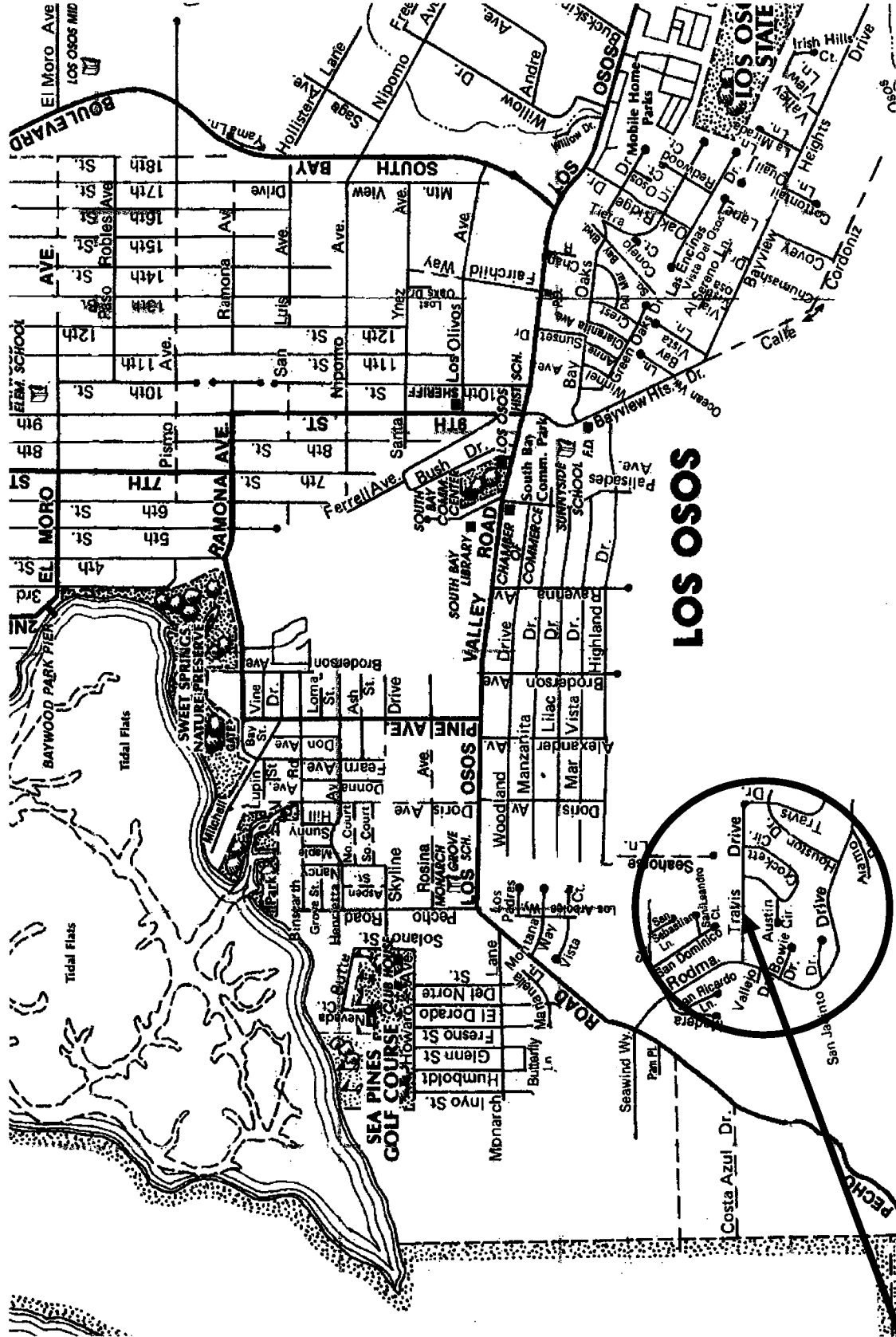
Conditions to be completed prior to occupancy or final building inspection / establishment of the use

11. Landscaping in accordance with the approved landscaping plan shall be installed or bonded for before final building inspection. If bonded for, landscaping shall be installed within 60 days after final building inspection. All landscaping shall be maintained in a viable condition in perpetuity.
12. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.
13. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

On-going conditions of approval (valid for the life of the project)

14. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.

15. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Land Use Ordinance.



SITE

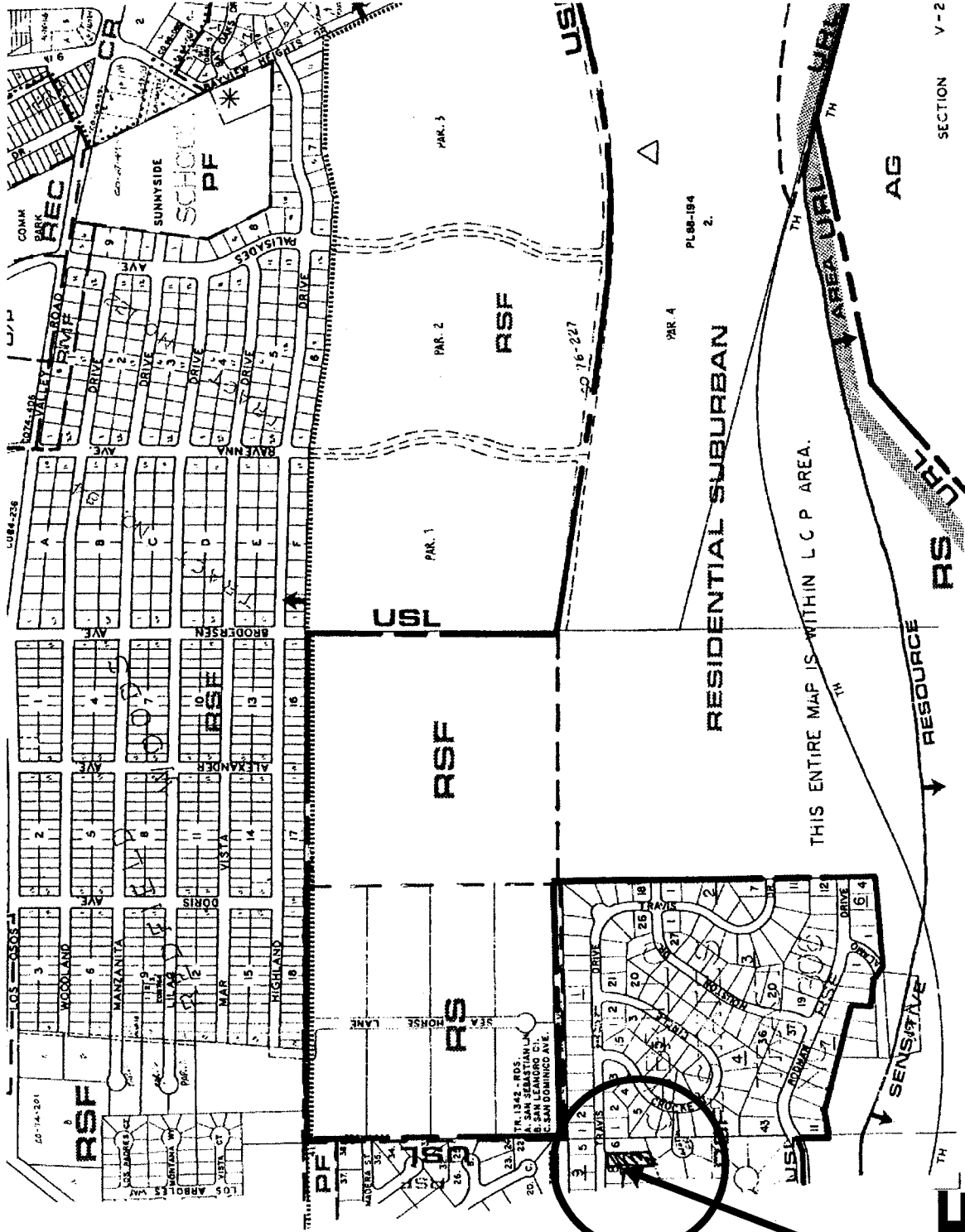
PROJECT

Minor Use Permit
Taylor DRC2003-00057

EXHIBIT

Vicinity Map





SITE

PROJECT

Minor Use Permit
Taylor DRC2003-00057

EXHIBIT

Land Use Category



SECTION V-2



SITE

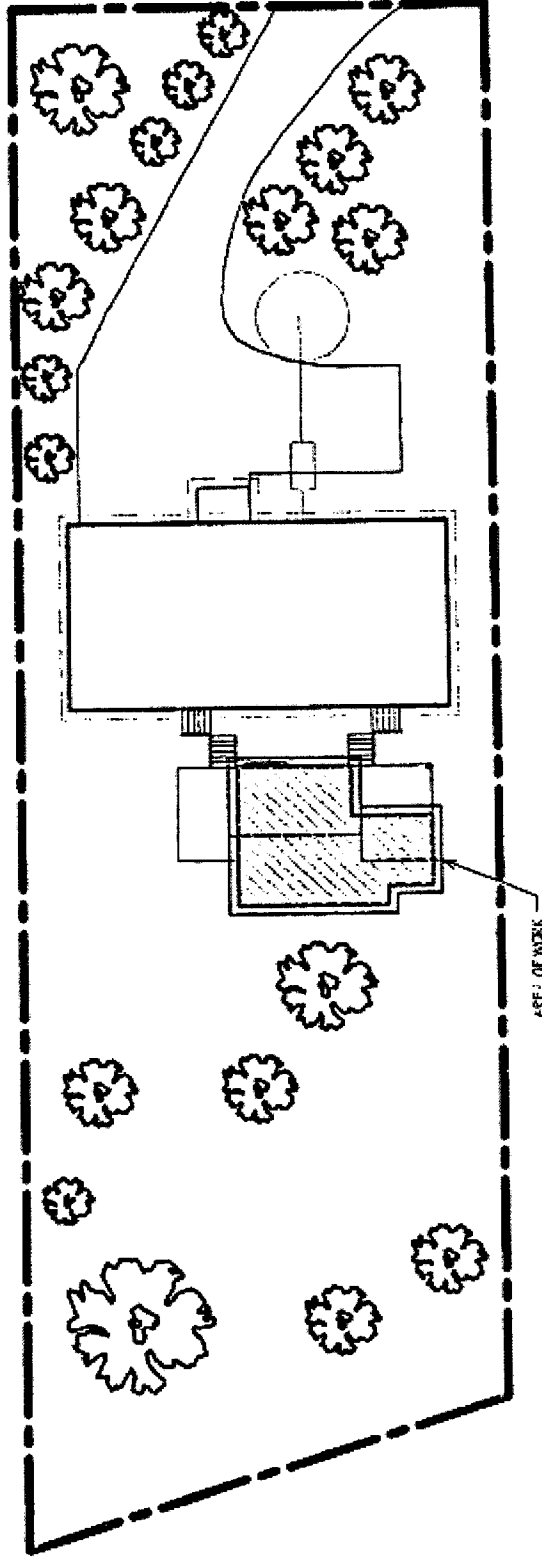
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EXHIBIT

Aerial



EXHIBIT

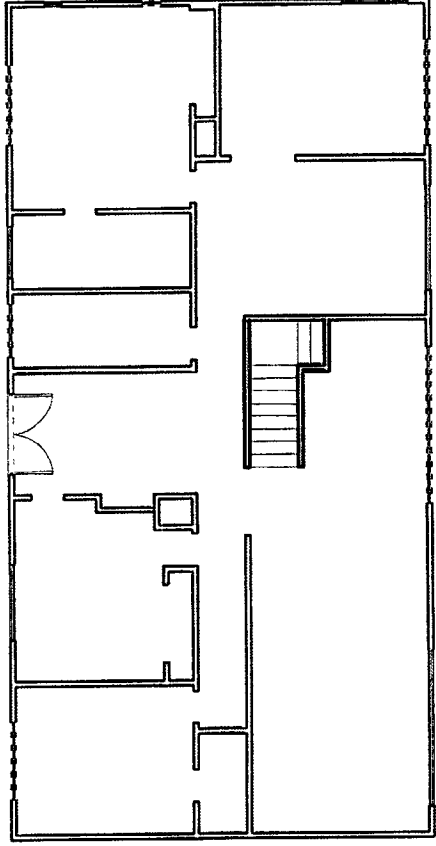
Site Plan



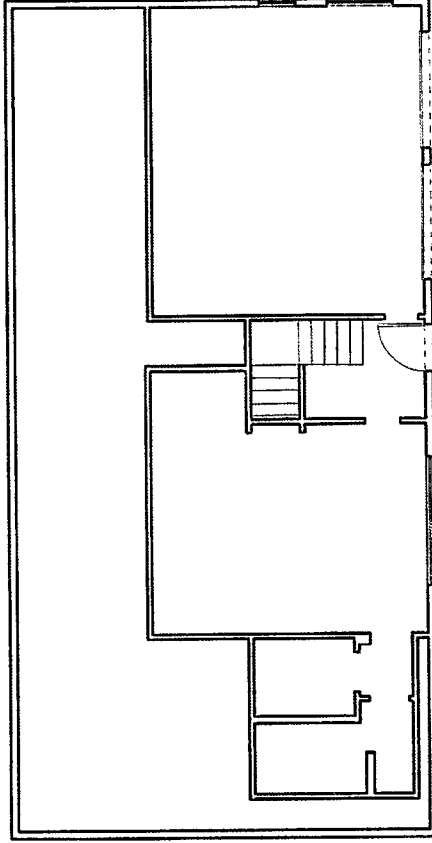
PROJECT

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EXISTING SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"



EXISTING FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"



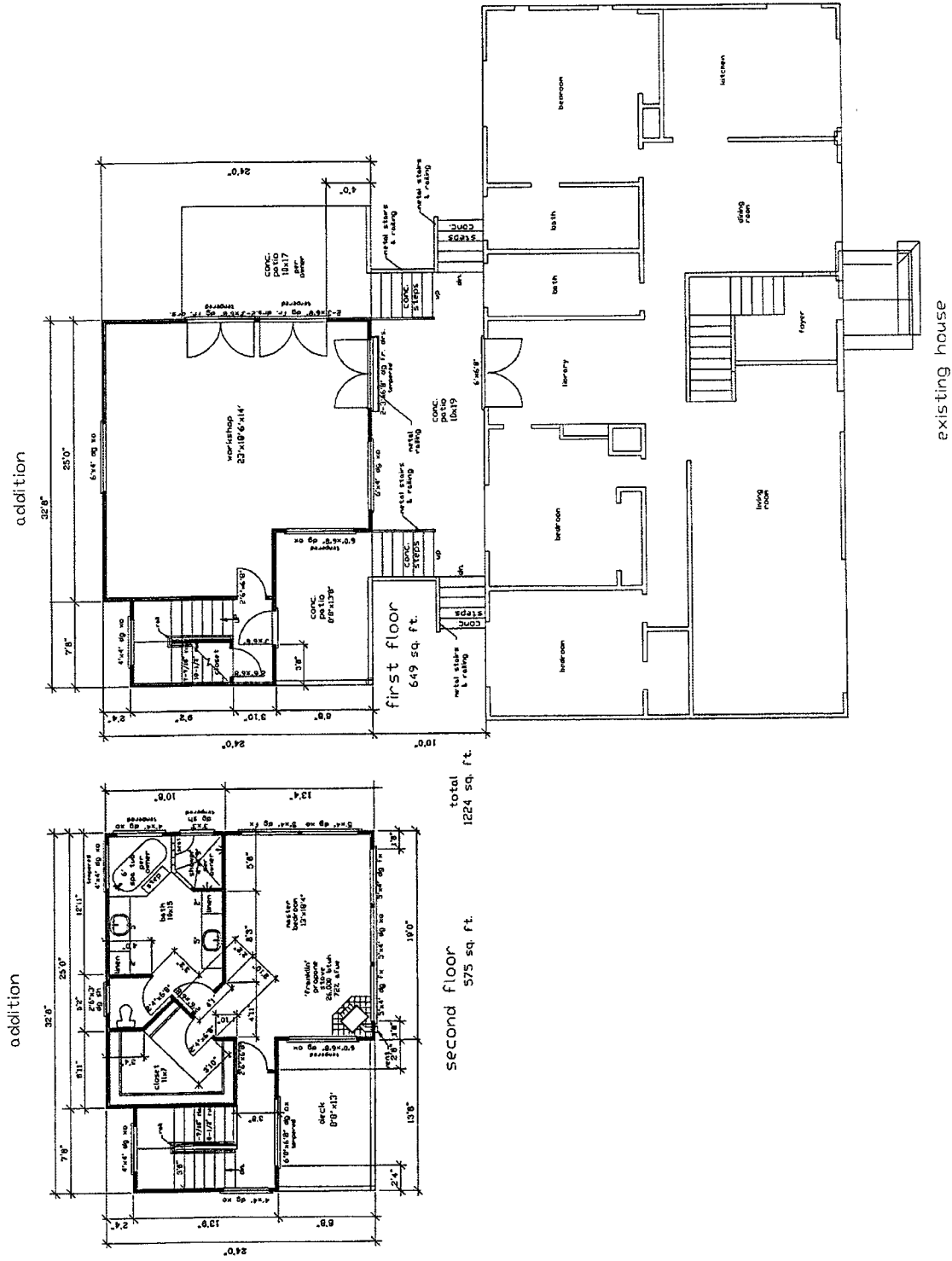
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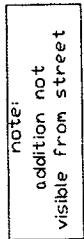
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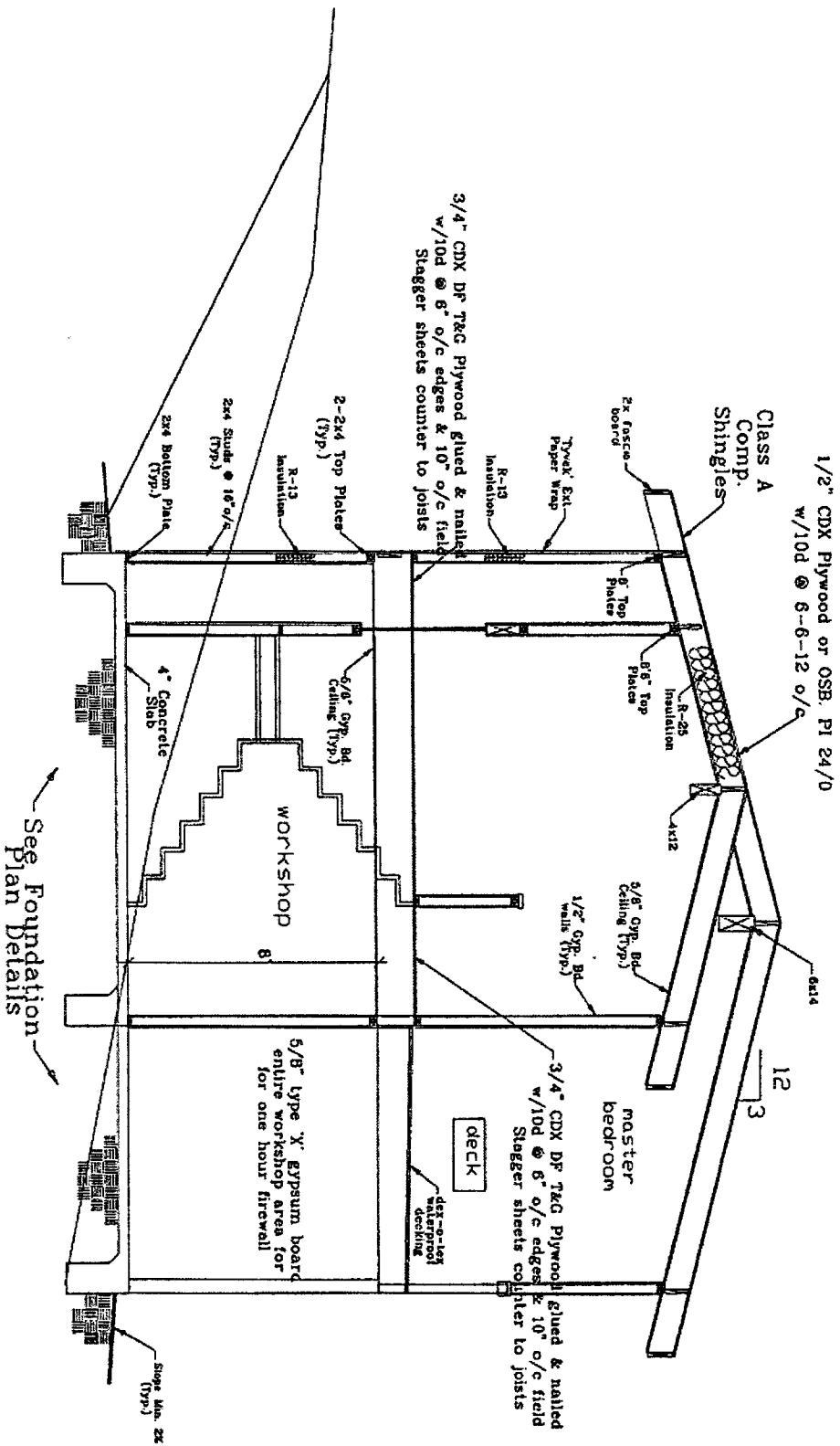
EXHIBIT

Existing Floor Plan









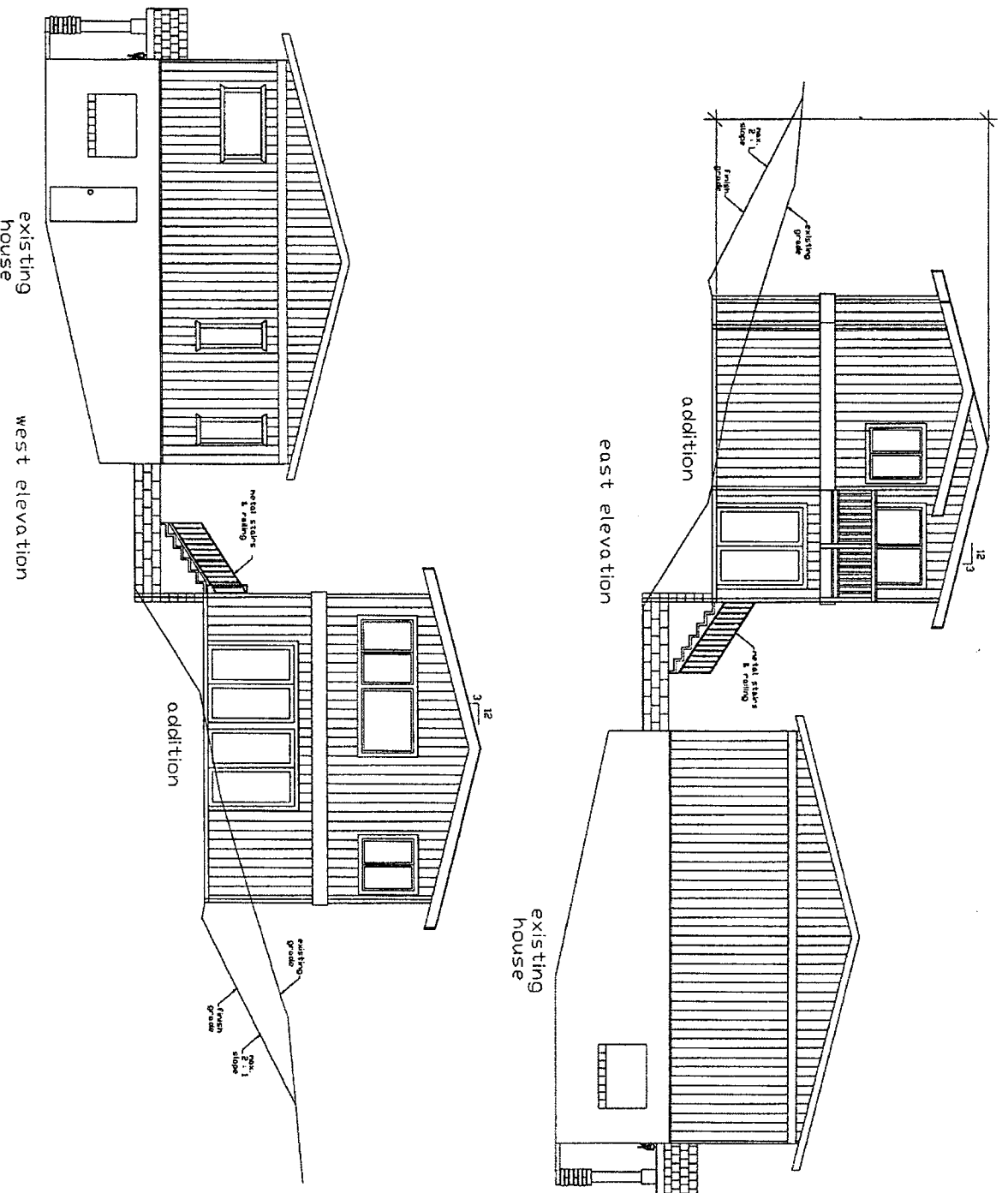
PROJECT

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EXHIBIT

Section





PROJECT

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EXHIBIT

Elevation